

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION

**FILED**

DEC - 1 2016

Clerk, U S District Court  
District Of Montana  
Billings

EDWARD A. AMESTOY, TRUSTEE  
OF THE CHARLES AND ELAINE A.  
AMESTOY MINERAL TRUST;  
PAUL A. AMESTOY, TRUSTEE OF  
THE PAUL AND CORRINE  
AMESTOY TRUST; RONALD  
AMESTOY, BRIAN AMESTOY,  
TRUSTEE OF THE AMESTOY  
FMAILY TRUST; RITA WICHMAN,  
TRUSTEE OF THE WICHMAN  
FAMILY IRREVOCABLE TRUST  
AND LINDA LOUISE SIMONSON,

Plaintiffs,

vs.

CONTINENTAL RESOURCES, INC.,

Defendant.

CV 16-113-BLG-SPW

ORDER

Before the Court is United States Magistrate Judge Carolyn Ostby's Findings and Recommendation filed on October 20, 2016. In her Findings and Recommendation, Judge Ostby concludes that the Plaintiff failed to join necessary and indispensable parties and recommends that the action be dismissed.

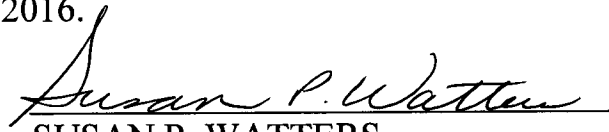
Pursuant to 28 U.S.C. § 636(b)(1), the parties were required to file written objections within 14 days of the filing of Judge Ostby's Findings and Recommendations. No objections were filed. When neither party objects, this

Court reviews Judge Ostby's conclusions for clear error. Clear error exists if the Court is left with a "definite and firm conviction that a mistake has been committed." *United States v. Syrax*, 235 F.3d 422, 427 (9th Cir. 2000). After reviewing the Findings and Recommendations, this Court does not find that Judge Ostby committed clear error.

Accordingly, IT IS HEREBY ORDERED:

1. Judge Ostby's Findings and Recommendations (Doc. 10) are ADOPTED IN FULL.
2. This matter is DISMISSED.
3. The Clerk of Court shall enter judgment and close this case.

DATED this 30<sup>th</sup> day of November, 2016.

  
SUSAN P. WATTERS  
United States District Judge